

JAN I. GOLDSMITH, City Attorney  
DANIEL F. BAMBERG, Assistant City Attorney  
TIMOTHY C. STUTLER, Deputy City Attorney  
California State Bar No. 131794  
JOHN E. RILEY, Deputy City Attorney  
California State Bar No. 144268  
Office of the City Attorney  
1200 Third Avenue, Suite 1100  
San Diego, California 92101-4100  
Telephone: (619) 533-5800  
Facsimile: (619) 533-5856

Attorneys for Defendants

Michael R. Marrinan, Esq. (SBN 90484)  
LAW OFFICES OF MICHAEL R. MARRINAN  
Thomas E. Robertson, Esq. (SBN 262659)  
LAW OFFICES OF THOMAS E. ROBERTSON  
Joseph M. McMullen, Esq. (SBN 246757)  
LAW OFFICES OF JOSEPH M. McMULLEN  
225 Broadway, Suite 1460  
San Diego, CA 92101  
Telephone: (619) 238-6900  
Facsimile: (619) 238-1097  
Email: mrmarrinan@aol.com

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**

TRAVIS WILKERSON, ANDREW  
HARLIN and VICTORIA GARCIA,  
  
Plaintiffs,  
  
v.  
  
CITY OF SAN DIEGO, KEVIN  
ARMENTANO, OFFICER  
MENDENHALL, OFFICER MINTER,  
OFFICER SHUMATE, AND DOES 1-  
20,  
  
Defendants.

Case No. 12cv2994 WQH (BGS)

JOINT STATEMENT OF THE  
CASE

Judge: Hon. William Q. Hayes  
Ct. Rm: 14B

Trial: February 3, 2015, 9:00 a.m.

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1 Pursuant to the Court's instructions, the parties submit this joint statement for  
2 the Court to read to the jury at the outset of the trial.

3 Dated: January 15, 2015

JAN I. GOLDSMITH, City Attorney

4 By s/ Timothy C. Stutler  
TIMOTHY C. STUTLER

5 Deputy City Attorney  
6 Attorneys for Defendants

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8 Dated: January 15, 2015

LAW OFFICES OF JOSEPH M.  
9 MCMULLEN

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11 By /s/ Joseph M. McMullen  
MICHAEL R. MARRINAN

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13 Attorneys for Plaintiffs  
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Plaintiffs allege that the defendants falsely arrested them and used unreasonable force during a contact in the Gaslamp District of downtown San Diego on December 3, 2011. Plaintiffs allege that they suffered physical and emotional injuries as a result of the acts of the defendants.

Defendants deny plaintiffs' claims, and also allege that they had probable cause to arrest plaintiffs and that any injuries plaintiffs may have sustained on December 3, 2011 were caused by plaintiffs' own negligence.

<sup>1</sup> The issue whether the jury should be told that the City of San Diego is a defendant will be the subject of briefing on January 22, 2015.

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**SIGNATURE CERTIFICATION**

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to Joseph M. McMullen, counsel for Plaintiffs, and that I am authorized to affix Mr. McMullen’s electronic signature to this document.

Dated: January 15, 2015 JAN I. GOLDSMITH, City Attorney

By /s/ Timothy C. Stutler  
Timothy C. Stutler  
Deputy City Attorney  
  
Attorneys for Defendants